



August 12, 2010

Julius Genachowski  
Chairman  
Federal Communications Commission  
Washington, D.C. 20554

**RE: In the Matter of Framework for Broadband Internet Service – GN Docket No. 10-127**

Dear Chairman Genachowski and Commissioners,

The Commission's proposal to reclassify broadband services and subject the Internet to new regulation poses grave risks to the future of the Internet and to our economy. Expansive bureaucratic controls over broadband will hamper network innovation, disrupt needed private investment in infrastructure, and ultimately undermine job growth that is crucial to states' economies. The American Legislative Exchange Council (ALEC) earnestly recommends the Commission reject reclassification and resist imposing new layers of regulation on the Internet.

ALEC is the nation's largest nonpartisan, individual membership association of state legislators. It represents more than 1,800 state legislative members, constituting close to one-third of all state legislators nationwide.

ALEC has reviewed the Commission's *Notice of Inquiry*, and ALEC's Telecommunications & Information Technology Task Force deliberated on the Commission's "third way" proposal at ALEC's Annual Meeting earlier this month. The results of those deliberations are embodied in the *ALEC Broadband Regulation Resolution* that we hereby transmit to the Commission. As stated in the *Resolution*, ALEC opposes any sweeping redefinition of broadband services.

The Internet has thrived under existing policy that treats broadband as a lightly-regulated "information service." The Commission can point to no existing or imminent problem with the Internet that requires ending this policy, and existing Commission authority supplies ample means for the Commission to address matters such as universal service and access for persons with disabilities. Unfortunately, the Commission's proposal to subject broadband information services to a regulatory apparatus cobbled together from outdated provisions for monopoly-era telephone service is a disservice to citizens, consumers and the Internet.

ALEC believes that the federal government and state governments must resist temptations to regulate the Internet. Congress, the Commission and states are better advised to spur broadband adoption and promote universal availability through limited and specific initiatives that are consonant with free market principles.

Cordially,

A handwritten signature in black ink, appearing to read "Bill Hamzy", written in a cursive style.

Rep. Bill Hamzy (CT)  
*Chair, ALEC Telecom & IT Task Force*



## **ALEC Broadband Regulation Resolution**

### **A Resolution Regarding the Regulation of Broadband Information Services in Innovative and Expanding Competitive Markets**

**Whereas**, it is the mission of the American Legislative Exchange Council to advance the Jeffersonian principles of free markets, limited government, federalism and individual liberty, and

**Whereas**, broadband information services sector is critical to growing the nation's economy, enhancing quality of life through new and innovative applications, and enabling greater job creation, and

**Whereas**, the rise of private investment in broadband technologies has dramatically transformed the way consumers work, live, learn, and conduct their daily lives, and

**Whereas**, ALEC believes that innovation, private investment, and market competition, not additional regulations, should drive the continued deployment and adoption of broadband information services, and

**Whereas**, the FCC has moved forward with a plan that would impose its authority on the Internet and regulate the provision of broadband information services, and

**Therefore, be it resolved that** ALEC voices its support of lawmakers and regulators avoiding the unnecessary, burdensome and economically harmful regulation of broadband Internet service companies, including the providers of the infrastructure that supports and enables Internet services, and further

**Be it resolved that** ALEC urges that the FCC, Congress and state regulatory and legislative bodies refocus their efforts on specific and limited initiatives targeted at ensuring that broadband service is made universally available and affordable to consumers, rejecting overly prescriptive regulations that would harm innovation, investment, and job growth, and further

**Be it resolved that** ALEC's opposition to the sweeping redefinition of broadband services be communicated to all ALEC members, and further

**Be it resolved that** ALEC shall convey its support to the members of the United States Congress and Executive Branch.

*Adopted by ALEC's Telecommunications & Information Technology Task Force at the ALEC Annual Meeting on August 6, 2010. Approved by full ALEC Board of Directors on August 10, 2010.*